

**ASSEMBLY BILL**

**No. 1816**

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**Introduced by Assembly Member Galgiani**

January 17, 2008

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An act to add Section 9610 to the Business and Professions Code, relating to cemeteries.

LEGISLATIVE COUNSEL'S DIGEST

AB 1816, as introduced, Galgiani. Cemeteries: temporary conservator.

Existing law, the Cemeteries Act, provides for the licensing and regulation of private cemeteries by the Cemetery and Funeral Bureau. Existing law requires all cemeteries for which a certificate of authority is required to be supervised by a manager that has passed a written examination, and prohibits a person from engaging in the business of, acting as, or advertising as, a cemetery or crematory manager without a license from the bureau.

This bill would, notwithstanding any other provision of law, authorize the bureau, upon receiving a written request by a private cemetery owner, to appoint a temporary conservator to serve as acting manager of the cemetery, as provided, until the owner notifies the bureau, in writing, that he or she has hired a new licensed manager.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 9610 is added to the Business and
- 2 Professions Code, to read:

1     9610. (a) Notwithstanding any other provision of law, a private  
2 cemetery owner may contact the Cemetery and Funeral Bureau,  
3 in writing, to inform the bureau that the position of licensed  
4 manager has been unfilled for three consecutive months, and to  
5 request the bureau to appoint a temporary conservator to manage  
6 the property until the owner is able to fill the position.

7     (b) Upon receipt of the written request described in subdivision  
8 (a), and confirmation of the information contained therein, the  
9 bureau may appoint a temporary conservator to manage the  
10 business and property of the private cemetery. The appointed  
11 conservator shall have the same powers and duties as a licensed  
12 cemetery manager, and shall serve as acting manager until the  
13 bureau is notified by the owner, in writing, that a new licensed  
14 manager has been hired, at which the time bureau shall terminate  
15 the conservatorship.